# Pill in this information to identify the case: Debtor 1 Donald Francis Kelly, II Debtor 2 United States Bankruptcy Court for the: Middle District of Pennsylvania

## Form 4100R

Case number: 1:13-bk-04693-RNO

# Response to Notice of Final Cure Payment

10/15

<u>15</u>

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.



Mortgage Information

Name of creditor: Deutsche Bank National Trust Company, as Trustee for MORGAN Court claim no.

STANLEY IXIS REAL ESTATE CAPITAL TRUST 2006-2 MORTGAGE (if known):

PASS THROUGH CERTIFICATES, SERIES 2006-2

Last 4 digits of any number you use to identify the debtor's account: 8209

Property Address: 804 NORTH 16TH STREET

**HARRISBURG Pennsylvania 17103** 

Part: 2

Prepetition Default Payments

Check one:

LX Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.

Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is:

\$

Part 3:

Postpetition Mortgage Payment

Check one:

Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

The next postpetition payment from the debtor(s) Is due on:

[X] Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due:8/1/2018
- b. Total fees, charges, expenses, escrow, and costs outstanding:
- c. **Total**. Add lines a and b.

(a) \$2709.80

+ (b) \$6802.07

(c) \$9511.87

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on:

Form 4100R

**Response to Notice of Final Cure Payment** 

page 1

Debtor 1	<b>Donald Francis Kel</b>	ly, II		Case number (if known)
	Firet Namo	Middle Name	Last Namo	, ,

Part 4: Itemized Payment History

If the creditor disagrees in Party 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- all payments received;
- all fees, costs, escrow, and expenses assessed to the mortgage; and
- all amounts the creditor contends remain unpaid.

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Sign Here

1:13-bk-04693-RNO

The person proof of clair	on completing this response must sign it. The response must be filed as a suppleme laim.	ent to the creditor
Check the appr	ppropriate box:	
[ ] I am the	he creditor.	
$\begin{bmatrix} X \end{bmatrix}  \text{I am the} $	he creditor's authorized agent.	
knowledge, in Sign and print	nder penalty of perjury that the information provided in this response is true and correct to e, information, and reasonable belief.  rint your name and your title, if any, and state your address and telephone number if different from e proof of claim to which this response applies.	·
/S/ Mary V	y Vitartas 12/11/2018	
Signature		
Print:	Mary Vitartas Title Authorized Agent for Creditor	
Company	Padgett Law Group	
If different from t	om the notice address listed on the proof of claim to which this response applies:	
Address	6267 Old Water Oak Road, Suite 203	
	Tallahassee FL, 32312	

Email

Form 4100R

Contact phone

(850) 422-2520

bkcm@padgettlaw.net

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnis	hed to the	parties
on the attached Service List by electronic service and/or by First Class U.S. Mail on this the	11th	_ day of
December, 2018.		

/S/Mary Vitartas

MARY VITARTAS
PADGETT LAW GROUP
6267 Old Water Oak Road, Suite 203
Tallahassee, FL 32312
(850) 422-2520 (telephone)
(850) 422-2567 (facsimile)
bkcrm@padgettlaw.net
Authorized Agent for Creditor

### SERVICE LIST (CASE NO. 13-43430-bem)

Debtor 1 Donald Francis Kelly, II 804 N 16th Street Harrisburg, PA 17103

Debtors Attorney Kara Katherine Gendron Mott & Gendron Law 125 State Street Harrisburg, PA 17101

Dorothy L Mott Mott & Gendron Law 125 State Street Harrisburg, PA 17101

Trustee Charles J DeHart, III (Trustee) 8125 Adams Drive, Suite A Hummelstown, PA 17036

Asst. U.S. Trustee United States Trustee 228 Walnut Street, Suite 1190 Harrisburg, PA 17101

								Version # Last Revised Date:			
				Loan Demo	ographics						
					804 NORTH 16T	H STREET					
Account Number		Number	13-04693	Property Address	HARRISBURG PA						
				Bankruptcy Filir	ng Information						
	DONALD KELLY		Chapter Filed	· · · · · · · · · · · ·	8	Chapter 13		Gov't Loan			
Filed By			Bankruptcy Filing Date	<u> </u>	09/12/2013			POC Filing Date		1/14/2014	
District	MIDDLE DISTRICT OF PENI	NSYLVANIA						1st Post Due Date		10/1/2013	
Beneficiary (Action in the Name o	f)										
			First E	orrower				Non-filing Co-Signer			
Name	DONALD KELLY				SSN						
			Second	Borrower				Non-filing Co-Signer			
Name					0 SSN						
	Payoff Figures as of:		00/00/0000		Delinquent Con	tractual/Post Peti	tion Payment	:s			
					Amount Due						
Unpaid Balance				Date Due	(P&I and Escrow)	Principle & Interest	Escrow	Number of Months	Total Due		
Interest Amount							_		\$		
Interest Rate Per Diem									\$		
Escrow Advance									Ś	-	
Corporate Advance									\$		
NSF									\$	-	
Total Suspense*									\$		
*Includes all Pre-Petition and Post	- Petition Suspense			Suspense**	\$ 359.82				\$	(359.82)	
TOTAL			\$ -	TOTAL					\$	(359.82)	
			•	**IF Chapter 13, will include Po	st Petition Suspense		•	•	•		
				**If Chapter 7, will include all s	uspense						
						_					
						National Settlen	ient Agreeme	nt*			
	•										
Contractual Due Date as pe	or I CANAC										
Current Post Petition Due of				*All loans acquired from Bank of America effective January 1,2013.							
	Payment Amount Due (P&I an	nd Escrow)		The second secon							
, , , , , , , , , , , , , , , , , , , ,	,	,									
	Other Info	ormation				Right to Foreclo	sure Language	*			
Property Treatment Retain			*Please include right to	foreclose language in the Mo	_	0.0					
Property Status			Secured								
Motion for Dismissal Filing	Date		No								
Pending Discharge			No								
Trustee Pay All			No							·	
Loss Mitigation Status			Not Active								
	ne of Filing		#REF!								

Payment Address	All payments and mail		
Nationstar Mortgage, LLC	should be addressed as	Comments	
PO Box 619094	ATTN: Bankruptcy Dept	Last payment received on	
Dallas, TX 75261-9741			
Correspondence Address			
Nationstar Mortgage, LLC			
PO Box 619096			
Dallas, TX 75261-9741			
		Processed by	
		Trocessed by	

### Pre-Petition Ledger

	DONALD KELLY
Filed By:	0
Case Number:	13-04693
Filing Date:	09/12/13

1		
	POC Figures	Comments
Payments	\$13,071.24	AO PAYMENTS
AO Payments		
Escrow		
PREPITION FEES	\$3,207.33	
NSF Fees		
FCL fees and Cost	\$1,031.00	
ATTY FEES		
FILING FEES		
TITLE FEES		
PROPERTY INSPEC		
BK FEES		
Other fees		
Others		
Suspense	\$363.72	
Total POC	\$16,945.85	

rustee Disbursements												
Payment Received	Principal Received	D	OC Balance	Applied To	Payment Applied	Additional Escrow Applied	Fees/Costs/Corp Applied	Paymer Suspens		:	AMS Trustee Suspense Balance	Comments
(Date)	Fillicipal Received	\$	16,945.85	(Date)	rayment Applied	Escrow Applied	Аррпец	Juspens			Dalatice	Comments
(Dute)		\$	16,945.85	(Butc)				Ś	-	Ś		
02/20/14		\$	16,945.85		\$ 754.11			\$ (75	54.11)	\$	(754.11)	
03/04/14		\$	16,945.85		\$ 754.11				54.11)	\$		
03/18/14		\$	16,945.85		\$ 754.11				54.11)			
12/18/14		\$	16,945.85		\$ 733.85			\$ (73	33.85)	\$	(2,996.18)	
01/14/15	\$ 228.97	\$	16,716.88					\$ 22	28.97		(2,767.21)	
02/11/15	\$ 243.01	\$	16,473.87					\$ 24	13.01	\$	(2,524.20)	
04/07/15	\$ 485.99	\$	15,987.88					\$ 48	35.99	\$	(2,038.21)	
06/09/15	\$ 242.98	\$	15,744.90					\$ 24	12.98	\$	(1,795.23)	
08/07/15	\$ 729.00	\$	15,015.90					\$ 72	29.00	\$	(1,066.23)	
11/10/15	\$ 60.11	\$	14,955.79					\$ 6	50.11	\$	(1,006.12)	
12/08/15	\$ 120.23	\$	14,835.56					\$ 12	20.23	\$	(885.89)	
01/12/16	\$ 571.06	\$	14,264.50					\$ 57	71.06	\$	(314.83)	
02/10/16	\$ 525.98	\$	13,738.52	· · · · · · · · · · · · · · · · · · ·					25.98	\$	211.15	
	\$ (211.15)	\$	13,949.67					\$ (22	11.15)	\$	-	
LOANMOD	ENTRED	\$	13,949.67					\$	-	\$	-	
09/20/17	\$ 60.11	\$	13,889.56					\$ 6	50.11	\$	60.11	
09/20/17	\$ 300.56	\$	13,589.00					\$ 30	00.56	\$	360.67	
09/20/17	\$ 240.45	\$	13,348.55					\$ 24	10.45	\$	601.12	
09/20/17	\$ 360.67	\$	12,987.88					\$ 36	50.67	\$	961.79	
09/20/17	\$ 180.33	\$	12,807.55					\$ 18	30.33	\$	1,142.12	
09/20/17	\$ 240.45	\$	12,567.10					\$ 24	10.45	\$	1,382.57	
09/20/17	\$ 199.27	\$	12,367.83					\$ 19	99.27	\$	1,581.84	
09/20/17	\$ 243.51	\$	12,124.32					\$ 24	13.51	\$	1,825.35	
09/20/17	\$ 120.73	\$	12,003.59						20.73	\$	1,946.08	
09/22/17	\$ (1,946.08)	\$	13,949.67					\$ (1,94	16.08)	\$	-	
02/14/18	\$ 173.20	\$	13,776.47					\$ 17	73.20	\$	173.20	
03/15/18	\$ 299.20	\$	13,477.27						99.20	\$	472.40	
04/09/18	\$ 299.20	\$	13,178.07					\$ 29	99.20	\$	771.60	
05/21/18	\$ 448.80	\$	12,729.27					\$ 44	18.80	\$	1,220.40	
06/12/18	\$ 123.63	\$	12,605.64					\$ 12	23.63	\$	1,344.03	
06/12/18	\$ 474.77	\$	12,130.87					\$ 47	74.77	\$	1,818.80	
07/17/18	\$ 374.00	\$	11,756.87					\$ 37	74.00	\$	2,192.80	
08/14/18	\$ 299.20	\$	11,457.67					\$ 29	99.20	\$	2,492.00	
08/16/18		\$	11,457.67		\$ 765.89				55.89)	\$	1,726.11	
09/10/18		\$	11,457.67		\$ 765.89				55.89)	\$	960.22	
09/13/18		\$	11,457.67		\$ 765.89				55.89)	\$	194.33	
	\$ (194.33)	\$	11,652.00						94.33)	\$	(0.00)	
		\$	11,652.00					\$	-	\$	(0.00)	
		\$	11,652.00					\$	-	\$	(0.00)	
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		\$	11,652.00					\$	-	\$	(0.00)	
		\$	11,652.00					\$	-	\$	(0.00)	
		\$	11,652.00					\$	-	\$	(0.00)	
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		\$	11,652.00					\$	-	\$	(0.00)	
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		\$	11,652.00					\$	-	\$	(0.00)	
		\$	11,652.00					\$	-	\$	(0.00)	

	Post-Petition Ledger									
Filed By:	DONALD KELLY 0	Payment Changes								
Case Number:	13-04693	From Date	To Date	Total Amount	P&I Total	Escrow Total				
Filing Date:	09/12/13	1-May-17		\$695.48						
Payments in POC:	\$13,071.24	1-Mar-18		\$677.45						
First Post Due Date:	10/01/13									

Date	Amou	ount Received Applied To Post Petition Amor			Post Si	uspense Balance	Comments	
						\$	-	
						\$		
11/20/13	\$	733.85				\$	733.85	
02/20/14	\$	754.11				\$	1,487.96	
02/20/14	\$	0.89				\$	1,488.85	
03/04/14	\$	754.11				\$	2,242.96	
03/04/14	\$	0.89				\$	2,243.85	
03/18/14	\$	754.11				\$	2,997.96	
04/15/15						\$	2,997.96	
08/07/15						\$	2,997.96	
12/31/15	\$	919.17		1		\$	3,917.13	
01/12/16 01/31/16	\$	919.17		_		\$	3,917.13 4,836.30	
01/31/16	ş	919.17		1		\$	4,836.30	
01/31/10	\$	211.15		_		\$	5,047.45	
		AON MOD ENT	FRED 3-1-16			\$	1,412.33	
02/08/16	T	LOTE MICE LIVE	LINED J I IO	\$	836.25	\$	576.08	principal
09/20/17	\$	912.36		, w	030.23	\$	1,488.44	principal
09/20/17	\$	695.48				\$	2,183.92	
09/20/17	\$	450.00	03/01/16	\$	912.36	\$	1,721.56	
09/20/17	\$	250.00	04/01/16	\$	912.36	\$	1,059.20	
10/10/17			05/01/16	\$	695.48	\$	363.72	
10/10/17						\$	363.72	
10/10/17						\$	0.00	
AGREED (		une 16 to Dec	: 17 iao \$1307:	1.24, Fee:	s \$1031.00, Su		3.72)	
01/26/18	\$	678.00				\$	678.00	
01/29/18			01/01/18	\$	677.92	\$	0.08	
02/09/18	\$	600.00				\$	600.08	
02/12/18						\$	600.08	
02/14/18						\$	600.08	
02/23/18	\$	600.00	02/01/18	\$	677.92	\$	522.16	
03/15/18						\$	522.16	
03/30/18	\$	500.00	03/01/18	\$	677.92	\$	344.24	
03/31/18	\$	240.00		_		\$	344.24	
05/11/18	\$	240.00		1		\$	584.24	
05/14/18 06/12/18	+			1		\$	584.24 584.24	
06/27/18	\$	350.00		1		\$	934.24	
06/28/18	,	330.00		1		\$	934.24	
08/16/18	\$	712.42	04/01/18	\$	677.92	\$	968.74	
09/13/18	\$	712.42	05/01/18	\$	677.92	\$	1,003.24	
10/23/18	\$	712.42	06/01/18	\$	677.92	\$	1,037.74	
10/23/18			07/01/18	\$	677.92	\$	359.82	
11/20/18						\$	359.82	
	\$	194.33				\$	359.82	
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Payment Applied (P&I and Escrow)	Additional Escrow Applied	Fees/Costs/Corp	Payment	LSAM BR Suspense Balance	
(P&I and Escrow)	Additional Escrow Applied	Applied	Suspense	balance	
			\$ -	\$ -	
			\$ -	\$ -	
			\$ 733.85	\$ 733.85	
			\$ 754.11	\$ 1,487.96	
			\$ 0.89	\$ 1,488.85	
			\$ 754.11	\$ 2,242.96	
			\$ 0.89	\$ 2,243.85	
			\$ 754.11	\$ 2,997.96	
\$ 754.11 \$ 754.11			\$ (754.11) \$ (754.11)	\$ 2,243.85 \$ 1,489.74	
3 734.11			\$ 919.17	\$ 2,408.91	
\$ 1,063.45			\$ (1,063.45)	\$ 1,345.46	
7 1,005.45			\$ 919.17	\$ 2,264.63	
\$ 1,063.45			\$ (1,063.45)	\$ 1,201.18	
			\$ 211.15	\$ 1,412.33	
			\$ -	\$ 1,412.33	
\$ 836.25			\$ (836.25)	\$ 576.08	
			\$ 912.36	\$ 1,488.44	
			\$ 695.48	\$ 2,183.92	
			\$ 450.00	\$ 2,633.92	
			\$ 250.00	\$ 2,883.92	
\$ 912.36			\$ (912.36)	\$ 1,971.56	
\$ 912.36			\$ (912.36)	\$ 1,059.20	
\$ 695.48			\$ (695.48)	\$ 363.72	
			\$ -	\$ 363.72	
			\$ 678.00	\$ 1,041.72	
\$ 695.48			\$ (695.48)	\$ 346.24	
			\$ 600.00	\$ 946.24	
\$ 695.48	ć 472.20		\$ (695.48)	\$ 250.76	
	\$ 173.20		\$ (173.20) \$ 600.00	\$ 77.56	
	\$ 299.20		\$ 600.00 \$ (299.20)	\$ 677.56 \$ 378.36	
	\$ 299.20		\$ (299.20)	\$ 378.36 \$ 878.36	
\$ 695.48			\$ (695.48)	\$ 182.88	
\$ 055.40			\$ 240.00	\$ 422.88	
\$ 695.48			\$ (695.48)	\$ (272.60)	
\$ 695.48			\$ (695.48)	\$ (968.08)	
			\$ 350.00	\$ (618.08)	
\$ 695.48			\$ (695.48)	\$ (1,313.56)	
			\$ 712.42	\$ (601.14)	
			\$ 712.42	\$ 111.28	
			\$ 712.42	\$ 823.70	
\$ 765.89			\$ (765.89)	\$ 57.81	
		\$ (107.68)	\$ 107.68	\$ 165.49	
			\$ 194.33	\$ 359.82	
			\$ -	\$ 359.82	
			\$ -	\$ 359.82	
			\$ -	\$ 359.82	
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